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October 4, 2024

VIA CM/ECF ONLY

Hon. Mitchell J. Katz
U.S. Magistrate Judge
U.S. District Court, Northern District of New York
James M. Hanley Federal Building
100 S. Clinton Street
Syracuse, NY 13261

RE: Compagni v. Town of Cortlandville, et al.
5:20-CV-00489-AMN-MJK

Dear Judge Katz:

I write on behalf of the defendants and in response to Mr. Ryder's letter dated October 1, 2024 (Doc. 86). Defendants' position is that they have provided a full and complete response to Mr. Ryder's request and, no further response is necessary.

Specifically, the underlying "dispute" arises from Mr. Ryder's informal letter dated October 5, 2023 (Doc. 80-2), wherein counsel requests:

...all documentation, emails, test messages, notes and the name, address and phone numbers of any witnesses with information that can explain the reasoning for John DelVecchio's recusal from voting at the October 28, 2014 planning board meeting...

As his deposition conducted on April 12, 2023, almost nine (9) years after the meeting, Mr. DelVecchio was asked by counsel the reasoning, and he testified "I don't know." (See Doc. 80-1). Thereafter, in response to the October 5, 2023 demand, defendants, by e-mail dated March 29, 2024, objected and then responded:

...defendants do not have any documents responsive to your demand. Also, defendants are not aware of any witnesses with information, other than possibly board members and Town officials present at the meeting in questions and/or members of the public who were present.

See e-mail string between myself and Mr. Ryder, attached hereto as **Exhibit A**. After the parties exchanged additional communications, defendants, by e-mail dated June 21, 2024, provided a further response and offering specific dates and times to discuss with Mr. Ryder the issue. Ex. A.

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Plaintiff has deposed all of the defendants, which are Town officials and Planning Board members. He had full opportunity to, and in fact did, ask them about any perceived conflicts, and no one could recall why Mr. DelVecchio recused himself from a decision of the Planning Board during a meeting back in October of 2014.

It is defendants' position that they have responded to plaintiff's demand and there is nothing further to address on the issue.

We are certainly willing to discuss should Your Honor schedule a conference. Thank you.

Sincerely,

NASH CONNORS, P.C.

/s/ Philip M. Gulisano

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Enc.

CC: Jesse Ryder (via CM/ECF)